

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT, OHIO
EASTERN DIVISION**

JOHN B. BROWN
747 STALLION WAY
MARYSVILLE, OH 43040

Plaintiff,

v.

Case No.

PRICEWATERHOUSE COOPERS LLP
c/o OFFICE OF THE GENERAL COUNCIL
300 MADISON AVENUE
NEW YORK, N.Y. 10017-6402

In the capacity of Employer & Plan Administrator

Defendants.

COMPLAINT

1. Plaintiff John B. Brown resides in Marysville, OH. Plaintiff was formerly employed at PricewaterhouseCoopers LLC (PWC) as a Director of Customer Strategy. He is a plan “participant” in the PWC Long Term Disability Benefits Plan.

2. The Defendants are PWC in its capacity as both the Employer and Plan Administrator.

3. Plaintiff is bringing a claim under the Employee Income Retirement Benefits Act (ERISA), 29 U.S.C. §§1001 et seq., for improper denial of long-term disability benefits. Thus, this court has federal question jurisdiction.

4. Venue is appropriate because Plaintiff was employed in the Columbus office of WC and is a resident of Union County.

5. In October 2016, Plaintiff began receiving long term disability benefits pursuant to the terms of the Plan. On February 19, 2018, Defendants wrongfully and in bad faith stopped paying him benefits.

6. Plaintiff appealed the wrongful and in bad faith cessation of his benefits on August 8, 2018.

7. On September 25, 2018, Defendants wrongfully denied Plaintiff's appeal. The denial was arbitrary and capricious and in bad faith.

8. In the appeal decision, the Plan Administrator determined that Brown no longer qualified for LTD because he had since assumed employment as a teacher. The Plan encourages participants to find employment in other professions and still be entitled to benefits but when he or she does just that, the Plan Administrator cuts off his benefits.

9. The decision is wrongfully based on the assumption that Brown is not entitled to benefits because he could just as well continue performing in his previous position as he does as a teacher.

COUNT I - ERISA

10. Plaintiff realleges the facts contained in paragraphs 1 through 9 of his Complaint.

11. Defendants failed to comply with the Plan's contractual requirements and wrongfully denied Plaintiff long term disability benefits.

12. By so doing, Defendants caused Plaintiff damages and violated ERISA.

WHEREFORE, Plaintiff demands judgment against Defendants in the form of:

- (a) Back benefits due;
- (b) Payment of disability benefits in accordance with the terms of the Plan;
- (c) Prejudgment and post judgment interest;
- (d) Attorney fees and costs; and
- (e) Such other and further equitable or other relief as may be just and appropriate.

Respectfully submitted,

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